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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,251	12/15/2003	Vasu Vijay	LEDS.00118	4667

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EXAMINER

AGWUMEZIE, CHARLES C

ART UNIT PAPER NUMBER

3621

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/736,251

Applicant(s)

VIJAY, VASU

Examiner

Charlie C. Agwumezie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4-8 and 21-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-8 and 21-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Status of claims***

1. Claims 2, 3 and 9-20 are cancelled. Claim 1 is amended and claims 21-34 are added. Claims 1, 4-8 and 21-34 are pending in this application per the response to Office Action filed on August 29, 2005.

### ***Specification***

2. Applicants amendment to the specification is acknowledged and the objection is hereby withdrawn.

### ***Response to Arguments***

3. Applicant's arguments filed August 29, 2005 have been fully considered but they are not persuasive.

4. With respect to claim 1, Applicant recites the new features of claim 1 to include: "the central knowledge management server, in response to a request for an asset from the user, provides an asset list comprising at least one digital asset that has criteria matching criteria specified by the user and wherein at least one of the digital assets in the asset list includes an asset characteristic." Applicant therefore argues that neither Jones et al nor Levy et al either individually or in combination teach or suggest that the digital asset provided by the central server includes an asset characteristic.

In response, the Examiner respectfully disagree and submits that Jones digital assets does include asset characteristic and thus claim 1 is properly rejected as shown below.

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5. With respect to claim 4-8, Applicant argues that these claims are patentable either because of their dependency to independent claim 1 or for their own unique features.

In response, the examiner respectfully disagrees and submits that these claims are not patentable either because of their dependency to claim 1 or as a result of their own features. Thus these claims are properly rejected as shown below.

6. With respect to claim 6, Applicant argues as presented in #5 above. See response to #5 above.

7. With respect to claim 21 and 22, Applicant further argues that these claims are newly added, dependent on claim 1 and not anticipated by Jones et al or Levy et al.

In response, the Examiner respectfully disagree and submits that Jones does anticipate these claims. Thus these claims are properly rejected as shown below.

8. With respect to claim 23, 27 and 31, Applicant further argues that these claims include the limitation of "wherein at least one of the digital assets in the list of digital assets includes an asset characteristic, to the requesting local knowledge management server" which Applicant concluded is similar to the limitation in claim 1, and therefore not suggested or taught by either Jones et al or Levy.

In response, the Examiner respectfully disagree and submit that Jones anticipates these claims and that these claims are properly rejected as shown below.

9. With respect to claims 24-26, 28-30 and 32-34, Applicant argues dependents on claims 23, 27, and 31 respectively and therefore not anticipated or rendered obvious by Jones and Levy.

In response, the Examiner respectfully disagrees with the Applicant and submits that these claims are anticipated and/or rendered obvious by Jones and Levy as shown in the claim rejection section below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 4-8, and 21-34, are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al U.S. Patent Application Publication 2002/0188841.

11. As per claim 1, Jones et al discloses a system for managing digital assets in a distributed data processing system, the system comprising:

a network of data processing systems (see fig. 1);

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a plurality of local knowledge management servers 6 connected to the network wherein each of the plurality of local knowledge management servers connected to and maintains a local digital asset repository (fig. 1, 0013, 0023, 0038);

a central knowledge management server (fig. 1, 0047); and

a central registry of digital assets; wherein each of the plurality local knowledge management servers sends location and identifying information concerning a digital asset the central knowledge management server whenever a digital asset saved to a local digital asset repository corresponding appropriate one of the plurality of knowledge management servers(fig. 1, 0047); and

each of the plurality of local knowledge management servers is configured to forward requests for the digital assets received from the user to the central knowledge management server (0014; 0017);

the central knowledge management server stores the location and identifying information concerning the digital asset in the central registry of digital assets (fig. 1, 0046, 0047); and

the central knowledge management server, in response to a request for an asset from the user, provides an asset list comprising at least one digital asset that has criteria matching criteria specified by the user and wherein at least one of the digital assets in the asset list includes an asset characteristic (0018; 0020; 0021; 0022; 0042).

12. As per claim 4, Jones et al further discloses the system, wherein the

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central knowledge management server authenticates local knowledge management servers before accepting information from the local knowledge management server for storage on the central registry of digital assets (0053, 0064).

13. As per **claim 5**, Jones et al further discloses the system, wherein the central knowledge management server performs at least one of providing access to the central registry of digital assets to local knowledge management servers, enables automatic check-in/check-out of digital assets into the 6 central registry of digital assets, provides version control digital assets, provides a shadow registry for 8 redundant copies of digital assets, and captures statistics of and about the digital assets (fig. 1, 0013, 0017, 0020, 0047, 0057, 0059).

14. As per **claim 7**, Jones et al further discloses the system, wherein a one of the plurality of local knowledge management servers retrieves the location of a requested digital asset by querying the central knowledge management server and, once the location of the requested digital asset is determined, retrieves the requested digital asset directly from another one of the plurality of local knowledge management servers on whose corresponding local digital asset repository the requested digital asset is located (0018, 0019, 0020).

15. As per **claim 8**, Jones et al further discloses the system, wherein the

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digital assets comprise at least one of text, audio, video, photographs, and graphics (0013, 0014, 0035).

16. As per **claim 21**, Jones et al further discloses the system, wherein the asset characteristics comprise at least one of a thumbnail a digital asset, a size of the digital asset, the location of the digital asset, the internal chargeback costs of the digital asset, and an ownership indicia for the digital asset (0022; 0042).

17. As per **claim 22**, Jones et al further discloses the system, wherein the each local knowledge management server is configured such that, upon receiving a selection of a digital asset from the user selected from the asset list, the local knowledge management server from which the user request for a digital asset was received, determines the location of the closest peer local knowledge management server that has a copy of the selected digital asset and sends a request for the digital asset to the closest peer local knowledge management server (0038; 0039; 0042; 0047; 0055).

18. As per **claim 23, 27 and 31**, Jones et al further discloses a method of managing digital assets in a distributed data processing system, the method comprising:

receiving, at a central knowledge management server, a request, from a requesting local knowledge management server, for a digital asset matching specified criteria (0021; 0030; 0042; 0055; 0043; 0067);



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identifying a list of digital assets that satisfy the specified criteria (0021; 0030);  
and

sending the list of digital assets, wherein at least one of the digital assets in the list of digital assets includes an asset characteristic, to the requesting local knowledge management server (0021; 0030; 0042).

19. As per claim 24, 28 and 32, Jones et al further discloses the method, wherein the list of digital assets includes an identification of the digital asset satisfying the specified criteria that is nearest to the requesting local knowledge management server (0008; 0018).

20. As per claim 25, 29 and 33, Jones et al further discloses the method, wherein the step of sending the list of digital assets comprises, responsive to a determination that the requesting user is not authorized to access the digital asset, refraining from sending the digital assets and sending an access denied message to the requesting local knowledge management server and responsive to a determination that the requesting user is authorized for limited access to the digital asset, sending instructions to the requesting local knowledge management server to limit access to the requested digital asset by the requesting user to an access level compliant with the authorization access level granted to the requesting user (0053; 0064)..

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21. As per **claim 26, 30 and 34**, Jones et al further discloses the method, wherein the asset characteristic comprises at least one of a thumbnail a digital asset, a size of the digital asset, the location of the digital asset, the internal chargeback costs of the digital asset, and an ownership indicia for the digital asset (0022; 0042).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. **Claim 6**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al U.S. Patent Application Publication 2002/0188841 in view of Levy et al U.S. Patent Application Publication 2002/0033844.

23. As per **claim 6**, Jones et al failed to explicitly disclose the system, wherein the central knowledge management server provides at least one of generating reports based on digital asset usage, generating reports based on digital asset type, generating reports based on business unit, generates reports based on geography, and generates reports based on revenues.

Levy et al discloses the system, wherein the central knowledge management server provides at least one of generating reports based on digital asset usage,

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generating reports based on digital asset type, generating reports based on business unit, generates reports based on geography, and generates reports based on revenues (0104, 0134).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Jones et al and incorporate the the system, wherein the central knowledge management server provides at least one of generating reports based on digital asset usage, generating reports based on digital asset type, generating reports based on business unit, generates reports based on geography, and generates reports based on revenues as taught by Levy et al in order to generate report based on any of the above criteria.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlie C. L. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on **(571) 272 – 6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

**Washington D.C. 20231**


Or faxed to:

**(571) 273-8300**. [Official communications; including After Final communications labeled "Box AF"].

**(571) 273-8300**. [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"].

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany Street Alexandria VA.

acc  
November 1, 2005

  
Primary Examiner  
AU 3621

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